

## **REMARKS**

In the Office Action of October 23, 2001, the drawings were objected to because they did not display figure indicia. Applicants respectfully request that FIGS 1-3 as filed, be replaced with the enclosed amended FIGS 1-3. In the amended drawings, the drawing elements have been labeled as requested in the Office Action. In view of these corrections to the informal drawings, it is respectfully submitted that the drawings are no longer objectionable for the reasons cited in the Office Action.

### **Claim 1 Stands Rejected Under 35 U.S.C. §112, Second Paragraph**

In the Office Action, Claim 1 was rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention. Specifically, it was noted in the Office Action that in claim 1 lines 12-15, it is unclear as to what is meant by "channels the inbound packets based on the inbound address information and that constructs the outbound packets and channels the outbound packets with the outbound address information." Applicants respectfully submit that it may readily be ascertained from the claim itself that the channel controller directs and assembles the inbound and outbound data packets based on their address, which gives a definite scope to claim 1. Therefore, Applicants respectfully request that the Examiner withdraw the indefiniteness rejection.

### **Claims 1-6, 8-16, 18 and 20-22 Stand Rejected Under 35 U.S.C. §102(b)**

In the Office Action, Claims 1-6, 8-16, 18 and 20-22 were rejected under 35 U.S.C. §102(b) as being anticipated by Carnegie et al U.S. Patent 5,745,884 (hereinafter Carnegie et al). It is respectfully submitted that Carnegie et al does not describe or suggest the present

invention as claimed in these claims. Reconsideration of this rejection is respectfully requested for the following reasons.

Claim 1 of the present application is an independent claim drawn to a wireless provisioning device. Claim 1 features a wireless provisioning device with an authenticator in operative communication with the operating system to allow authentication at the wireless provisioning device, such that a user of a mobile computing device can connect to the wireless provisioning device without having to first access the internet. By the foregoing amendment, Claim 1 has been amended to clarify that the network card(s), wireless card(s), processor(s), operating system, channel controller and authenticator are coupled with the chassis of the wireless provisioning device. It is submitted that this amendment does not change the scope of claim 1 from the claim as originally filed. The purpose of this amendment is only to help further clarify what is meant by channeling and what is meant by a wireless provisioning device. (See the application specification at, e.g., page 24 line 11 to page 25, line 9) Applicants submit that a device differs from a system, at minimum, by the fact that the functional parts of a device are not dispersed in several different locations, like system parts may be, but rather are all housed resident in a certain location.

Although Carnegie et al describe and illustrate a wireless communication system, it is respectfully submitted that this reference does not describe or suggest a wireless provisioning device as featured in Claim 1. Specifically, the system described by Carnegie et al is comprised of several devices, namely, (1) a wireless card signaling resource found in the users mobile device; (2) a gateway resource device that connects the mobile device to the internet; and (3) a multiple device destination server for authenticating and end use communication with the mobile device. (See FIG 1) In particular, the destination server comprises, *inter*

alia, a security server device 132 and a host processor/file server device 134. Therefore, authentication takes place on the security server 132, which is a separate device housed separately from the gateway resource 117. Additionally, the wireless cards and the network cards are housed in different devices as well. More fundamentally, Carnegie et al's multiple device system still only affords the mobile device user the opportunity to create a VPN between the mobile device and their home network, no access to other networks in particular or the Internet generally. Therefore, Carnegie et al provides a solution only to the traveling individual that wants to access their home/ office desktop computer.

From the foregoing discussion, it is clear that Carnegie et al does not describe or suggest a wireless provisioning device capable authentication and network access beyond a VPN. Conversely, these are features of the wireless provisioning device of Claim 1, as amended. Thus, it is respectfully submitted that Claim 1 is not anticipated by, or unpatentably obvious in view of Carnegie et al, and is, therefore, in condition for allowance. Claims 2-6, 8-9 and 24-27, depend, either directly or indirectly, from Claim 1, and thus incorporate all of the features thereof. Thus, it is respectfully submitted that dependent Claims 2-6, 8-9 and 24-27 are also not anticipated by Carnegie et al, and are also, therefore, in condition for allowance.

Independent Claim 10 of the present application is drawn to a system comprising a wireless provisioning device, a carrier structure, wireless access points and an authentication protocol initiated at the wireless provisioning device. As discussed previously, Carnegie, et al does not describe or suggest a device capable of providing the functions of a wireless provisioning device, but rather attempts to emulate certain of these functions through multiple devices. As stated at page 23 lines 18-20 of Applicants application specification, "[w]ithout the wireless

provisioning device, two separate wireless infrastructures would have to be erected to satisfy all types of customers." This is in part why the Carnegie et al system requires several devices to achieve just a portion of the functionality provided by the wireless provisioning device.

Moreover, the Carnegie system requires multiple handoffs between the mobile device and the destination computer to establish merely a VPN. Thus the Carnegie system does not establish global access to non-home networks or the Internet. When we speak of non-home networks we are referring to networks other than the mobile device users own network comprising the security server and the host/processor/file server.

Another principal difference between the Carnegie et al system and the presently claimed system is that with the Carnegie et al system, the mobile device user cannot transition access points or towers while logged onto the mobile device. As described at column 9 lines 58-67, in order to logon to the VPN, mobile device users can access "their home office servers by logging on within range of an AP antenna 113. Then, by temporarily disabling the timer, if any, delaying signaling resource 105 from initiating further contact with an AP antenna 113, signaling resource 105 will continuously attempt to remain in contact with destination server 130." Applicants submit that this text shows that the Carnegie et al system does not allow mobile device users to roam while accessing their VPN, they must remain in a stationary state to prevent going out of range of the access point antenna and braking socket layer communication. However, the system in accordance with the presently claimed invention allows for handoff between antennas to allow fluid communication while transitioning access point antennas.

Thus it is respectfully submitted that independent claim 10 is also not anticipated by, or unpatentably obvious in view of, Carnegie et

al, and is, therefore, in condition for allowance. Claims 11-16, 18-22 and 28-29, depend, either directly or indirectly, from Claim 10, and thus incorporate all of the features thereof. Thus, it is respectfully submitted that dependent Claims 11-16, 18-22 are also not anticipated by Carnegie et al, and are also, therefore, in condition for allowance.

**Claim 17 Stands Rejected Under 35 U.S.C. §103(a)**

In the Office Action, Claim 17 was rejected under 35 U.S.C. §103(a) as being unpatentable over Carnegie et al U.S. Patent 5,745,884 in view of Clark U.S. Patent 5,960,074 (hereinafter Clark). It is respectfully submitted that Carnegie et al and Clark are not combinable without departing from the teachings of each of the references. Moreover, Applicants submit that even if combinable, Carnegie et al and Clark combined do not teach the presently claimed invention. By requiring a mobile hub station (e.g., van) "configured to transfer information as a single nomadic transmission/reception point between the microwave communication system and the wireless LAN using an ethernet packet switching protocol" (Column 2 lines 40-48), the Clark system's infrastructure is fundamentally different and ideologically non-combinable with the Carnegie et al system. Moreover, even if combinable, the above discussion details why the Carnegie et al reference cannot serve as a primary 103(a) reference against the presently claimed invention.

Thus it is respectfully submitted that, claim 17, which depends from claim 1, is not unpatentably obvious over Carnegie et al in view of Clark, and is, therefore, in condition for allowance.

**Objection to Claims, Allowable Subject Matter**


In the Office Action, Claims 7, 19 and 23 were objected to as being dependent upon a rejected base claim, but were indicated allowable if re-written in independent form. By the foregoing

amendment, Claims 7, 19 and 23 have been rewritten in independent form to include all of the limitations of the base claim from which these claims depended. Therefore, it is respectfully submitted that Claims 7, 19 and 23, as amended, are in condition for allowance.

For the foregoing reasons, it is respectfully submitted that all of the pending claims in this application, as amended, are in condition for allowance. Favorable action on this application is, therefore, solicited.

Respectfully submitted

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Tony D. Alexander  
Registration No. 44,501

**TECHNOLOGY LEGAL COUNSEL LLC**  
Post Office Box 1728  
Evans, Georgia 30809-1728  
(706) 210-4026